IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 29595 of 2006(W)

PETITIONER:

AVARA SAURO @ V.X.ABRAHAM, AGED 77,
S/O. XAVIER, VALIYAPARAMBIL HOUSE,
KATHRIKADAVU DESOM, ELAMKULAM VILLAGE,
KANAYANNUR TALUK.

BY ADV. SRI.P.N.RAMAKRISHNAN NAIR
SRI.P.VISWANATHAN
SRI.AJU MATHEW

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM.

2. G.C.D.A.,
KADAVANTHRA, KOCHI-682 020.

3. EDAPPALLY VASUDEVAN,
ELANGALLOR SWAROOPAM, EDAPPALLY.

4. M.N.MUKUNDAN, AGED 67,
S/O. LATE NARAYANAN, SANITHA, PONOTH ROAD,
KALOOR, KOCHI-17.

5. GEORGE EMMANUEL, AGED ABOUT 72,
PALLIPARAMBIL HOUSE, KATHRIKADAVU,
KALOOR, ERNAKULAM.

6. PRINTY JOSEPH, AGED ABOUT 46,
W/O. JOSEPH, VALIYAPARAMBIL, KATHRIKADAVU,
KALOOR, KOCHI-17.

7. GEORGE JAIN, AGED ABOUT 29,
S/O. XAVIER, VALIYAPARAMBIL, KATHRIKADAVU,
KALOOR, KOCHI-17.

BY ADV. SRI.P.CHANDRASEKHAR
SRI.V.V.SIDHARTHAN
SRI.ELDHOSE M.VARGHESE
SRI.J.MATHAPPAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.29595 OF 2006

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Dated this the 17th day of August 2007

JUDGMENT

This writ petition is filed to set aside the order passed in I.A.No.2216 of 2004 in LAR No.39 of 2002. The writ petitioner has moved an application in the land acquisition proceedings for impleadment and that has been dismissed. A perusal of the order would reveal that the documents relied on by the petitioner were declared to be sham documents and that has been confirmed in appeal. Therefore as the matter stands today, the claimant has not succeeded in proving the right over his property. Learned counsel for the petitioner submits that he may prefer a second appeal and in case he succeeds his right may have to be protected. If ultimately there is a direction from the final court on the question of his right then it will always be left for him to pursue the remedies in accordance with law.

With this observation, the writ petition is closed.

M.N.KRISHNAN, JUDGE

Cdp/-